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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

Plaintiff MARY VALLEJOS (“Plaintiff”), and Defendants BECHTEL SHORT TERM DISABILITY PLAN (the “Plan”) and LIFE INSURANCE COMPANY OF NORTH AMERICA (“LINA”) by and through their respective counsel of record, hereby stipulate that LINA has agreed to pay the short-term disability benefits claim that is the subject of this ERISA litigation. LINA is in the process of calculating the benefits it will pay to plaintiff, and the parties will be negotiating the appropriate interest payable on those benefits as well as the attorney's fee owed

STIPULATION and [PROPOSED] ORDER TAKING HRG ON STRD OF REVIEW OFF CALENDAR (C 07-05363 SC)

1 plaintiff under ERISA. They hope to reach a mutually agreeable settlement on the interest and
2 attorneys fees issues. If not, plaintiff will bring a motion for interest and attorneys fees.
3

4 Because the issue regarding eligibility for benefits has been resolved, the Court no longer
5 needs to determine what the proper standard of review is. Therefore, the parties request that the
6 Court take the hearing scheduled for April 25, 2008 at 10 A.M. regarding the standard of review
7 off of the calendar.

8 IT IS SO STIPULATED.
9
10
11

12 THE LAW OFFICE OF STEVEN
13 CHABRE

14 DATED: March 17, 2008

15 By: _____ /S/
16 Steven Chabre
17 Attorney for Plaintiff
18 MARY VALLEJOS

19 DATED: March 20, 2008

20 WILSON, ELSER, MOSKOWITZ
21 EDELMAN, & DICKER LLP

22
23 BY: _____ /S/
24

25 Dennis Rhodes
26 Attorneys for Defendants
27 BECHTEL SHORT TERM DISABILITY
28 PLAN and LIFE INSURANCE COMPANY
OF NORTH AMERICA

1 **[PROPOSED] ORDER**
2

3 PURSUANT TO STIPULATION and good cause appearing therefor, IT IS HEREBY
4 ORDERED THAT:

5 The hearing currently scheduled for April 25, 2008 at 10 A.M. regarding the proper
6 standard of review is taken off calendar.

7
8 Dated: 3/25/08

9 By:

